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DOC #:
DATE FILED: JUL 21 2016

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Manuel Montiel Lopez,

Plaintiff,

—v—

Ploy Dee, Inc., *et al.*,

Defendants.

15-cv-647 (AJN)

MEMORANDUM &
ORDER

ALISON J. NATHAN, District Judge:

On January 29, 2015, Manuel Montiel Lopez filed a complaint in the Southern District of New York alleging violations of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.*, and New York Labor Law, Art. 19 § 650 *et seq.* On November 30, 2015, the parties notified the Court that they had reached a settlement. Dkt. No. 26. The parties submitted the settlement for the Court’s review on December 28, 2015. Dkt. No. 29. On April 21, 2016, the Court declined to approve the settlement. Dkt. No. 31. On May 17, 2016, the parties submitted a revised settlement proposal. Dkt. No. 34.

The Court denied approval a second time on June 29, 2016. Dkt. No. 35. In its order, the Court stated that the settlement was broadly fair and reasonable, but could not be approved until the parties (1) narrowed, removed, or submitted briefing to justify a provision prohibiting Plaintiff from encouraging others to file FLSA suits against Defendants, and (2) narrowed the scope of the release from liability.

On July 19, 2016, the parties submitted a revised proposed settlement agreement. Dkt. No. 36. This version of the settlement agreement does not contain a non-encouragement clause, and the release from liability is appropriately narrow in scope. The Court has reviewed these

materials and finds them to be fair and reasonable. Accordingly, the settlement between the parties is approved. The Clerk of Court is instructed to close the case.

SO ORDERED.

Dated: July 21, 2016
New York, New York

A handwritten signature in black ink, appearing to read 'Alison J. Nathan', written over a horizontal line.

ALISON J. NATHAN
United States District Judge